

IV. SUMMARY

Total Construction Costs	\$172,000.00
Total Operating Costs	\$13,650.00
Total Personnel Costs	\$24,697.50

TOTAL COSTS FOR CONSTRUCTION AND THREE MONTHS OPERATIONS	\$210,347.50
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Note: All costs of prosecuting application, including legal, engineering and FCC fees will be paid as incurred prior to grant of application.

Gary C. Lawrence
President

NORWEST BANKS

Norwest Bank Texas, N.A.
Main Office
1500 Broadway
Post Office Box 1241
Lubbock, Texas 79408
806/765-8861

June 11, 1996

Mr. Thomas Crane
President
Southwestern Broadcasting Corp.
1000 Sycamore Street
Clovis, NM 88101

RE: KLZK-FM, Brownfield, Texas

Dear Mr Crane:

The purpose of this letter is to confirm your desire to borrow funds from this bank to cover the costs of construction and initial operation of a new FM radio station you propose to establish licensed to Brownfield, Texas. We have reviewed the financial statements of Southwestern Broadcasting Corporation and its shareholders, as well as the costs projections for the proposed station.

On the basis of our review of your request, we have preliminarily agreed to make a loan in an amount not to exceed \$250,000, at such time as your application to the Federal Communications Commission for permission to construct the new station is granted, on the following terms and conditions:

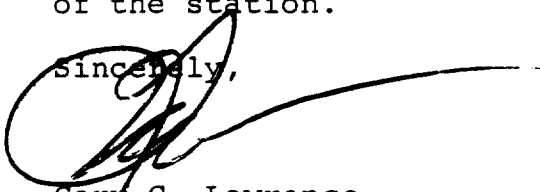
1. The loan would bear interest at our prevailing rate of interest at the time the money is loaned.
2. Monthly payments of interest only would be due at the end of the first six months after the loan is made.
3. Level monthly payments of interest and principal would be due over a period of ten years beginning with the end of the seventh month after the loan is made.
4. The loan would be secured by a lien on the physical assets of the station.

Mr. Thomas Crane
June 11, 1996
Page Two

5. Before the loan funds are actually advanced, we will require you to file a formal loan application and meet all of the requirements of this bank at the time for a loan of this type.

While this letter is not intended to be a formal commitment for a loan, it is intended to provide you with reasonable assurance that in the event your application is granted and you meet the conditions described above, we will be willing to make a loan to the shareholders of the station.

Sincerely,



Gary C. Lawrence
President

EXHIBIT G

239 2x4

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

JAN 30 1991

IN REPLY REFER TO:

8920-MW

Thomas Joseph Crane
Southwestern Entertainment Group
P.O. Box 2401
Lubbock, Texas 79408

In re: ~~KLCU(FM)~~ Brownfield, TX
KIOL-FM, LaMesa, TX
KLSC(FM), LaMesa, TX

Dear Mr. Crane:

This letter responds to your proposal, dated January 10, 1990, to resolve the current allocation problem involving your station, KLCU(FM), licensed to Brownfield, Texas, and two stations licensed to nearby LaMesa, Texas: KIOL-FM, operated by 100.3 Radio, Inc. ("KIOL"), and KLSC(FM), operated by West Texas Broadcasting Company, Inc. ("KLSC").

Essentially, the problem your proposal seeks to resolve is as follows: You are currently licensed on Channel 280A. However, pursuant to the Notice of Proposed Rulemaking in MM Docket No. 87-603, adopted December 14, 1987, 3 FCC Rcd 231, 53 Fed. Reg. 2064, and the subsequent Report and Order in that proceeding, 3 FCC Rcd 6158 (1988), you filed a modification application to specify operation on Channel 282C2. See File no. BPH-8910261C. The application of KLSC (File no. BPH-8712141E) to operate on Channel 284C1 is short-spaced to your allocation and application; KLSC is licensed to operate on Channel 262C1 but holds a special temporary authorization ("STA") to operate on Channel 284C1. See Letter to Barry W. Sheridan and Lawrence J. Bernard, reference 8920-MW (Chief, Audio Services Division, March 25, 1988). KIOL is licensed to operate on Channel 284C1 but holds an STA to operate on Channel 262C1 pending action on its application (File no. BPH-8712141D) specifying operation on Channel 262C1. Id.

In your January 10 letter, you propose the following solution: (i) KIOL-FM would surrender its STA and modification application and return to its licensed operation on Channel 284C1; (ii) KLSC would likewise return to its licensed operation on Channel 262C1; (iii) you would then switch frequencies with KLSC such that KLCU would operate on Channel 262C1 and KLSC on Channel 284C1.¹

We note that South West Educational Media Foundation of Texas, Inc. ("South West") filed a timely application (File no. BPH-900629MJ) which is mutually

¹ You state that KLSC could operate as a full Class C station on Channel 282 with a site change.

exclusive with your license renewal application (BRH-900315UC). We therefore believe it appropriate that South West be furnished with a copy of your proposal, as a proposal to the Commission which changes your frequency necessarily affects South West's application. Accordingly, we are enclosing a copy of your proposal with our copy of this letter to South West.

Finally, we also note that, because your proposal involves a change in frequency for stations in two separate communities, it can only be accomplished through rulemaking. See 47 C.F.R. § 73.3573(a)(1). We do, however, encourage the filing of a petition for rulemaking, as such action would provide each party a forum to express its views as well as afford the Commission an opportunity to achieve a comprehensive solution in this matter.

We will retain a copy of your proposal for association with your application.

Sincerely,



Dennis L. Williams
Chief, FM Branch
Audio Services Division
Mass Media Bureau

cc: South West Educational Media Foundation of Texas, Inc. (w/enc.)
100.3 Radio, Inc.
West Texas Broadcasting Co., Inc.
James P. Riley, Esq.

EXHIBIT H

239

E x H

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

17 MAR 1992

IN REPLY REFER TO:
8920-JAG

Southwestern Broadcasting Corp.
Radio Station KLCU (FM)
Box 2401
Lubbock, TX 79408

In re: KLCU (FM), Brownfield, TX
Southwestern Broadcasting
Corp.
BPH-891026IC

Dear Applicant:

This is in reference to the above-captioned minor application to change antenna location, class and frequency and your amendments received January 12, 1990 and June 8, 1990. The change in class and frequency is filed pursuant to MM Docket No. 87-603.

Your June 8, 1990 amendment, proposing to change antenna location and antenna height above average terrain, was filed more than thirty days after the Notice of Tenderability released December 26, 1989. As such, in accordance with 47 C.F.R. § 73.3522, the amendment is considered untimely. In addition, it did not contain a sufficient showing of good cause for late filing and was not filed pursuant to 47 C.F.R. § 1.65 or 73.3514. Accordingly your June 8, 1990 amendment will be returned.¹

An engineering study of your original application as amended on January 12, 1990² reveals that the proposal is in violation of 47 C.F.R. § 73.207 for being short-spaced by (1.2) kilometers to the licensed facilities of Station KKIK (FM) in violation of 47 C.F.R. § 73.207. The required distance separation pursuant

¹ Had your June 8, 1990 amendment been filed for good cause pursuant to 47 C.F.R. § 1.65 or § 73.3514, it would have been dismissed for being short-spaced to the licensed facilities of intermediate frequency Class C1 Station KKIK (FM), Lubbock, Texas by 1.4 kilometers in violation of 47 C.F.R. § 73.207. The required distance separation pursuant to 47 C.F.R. § 73.207 is 27.0 kilometers while the proposed distance separation is 25.6 kilometers. This short-spacing was not addressed.

² The January 12, 1990 amendment was timely filed and corrects the coordinates to reflect the actual coordinates of the proposed site as manually ascertained from the site map. It did not, however, correct the contour map which contained the same error. Without this correction, it is impossible to determine if the proposal sufficiently covers the city of license.

to 47 C.F.R. § 73.207 is 27.0 kilometers while the proposed distance separation is 25.8 kilometers. This short-spacing was not addressed in either the original application or the amendment.³

In light of the above, your amendment June 8, 1990 IS HEREBY RETURNED. In addition, your Application BPH-891026IC, as originally filed, and as amended on January 12, 1990 IS HEREBY DISMISSED as unacceptable for filing pursuant to 47 C.F.R. § 73.3566(a).

Sincerely,



Dennis Williams
Chief, FM Branch
Audio Services Division
Mass Media Bureau

cc: Thomas Joseph Crane
Broadcast Development Group

³ If the coordinates to be used were the coordinates as specified in Section V-B, Item 2(b) of the original application, then the proposed site would have been short-spaced in violation of 47 C.F.R. § 73.207 to the licensed facilities of second adjacent channel Class C1 Station KIOL-FM, Lamesa, Texas by 66.1 kilometers. The required distance separation pursuant to 47 C.F.R. § 73.207 is 79 kilometers while the proposed distance is 12.9 kilometers.

EXHIBIT I

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

02 DEC 1992

IN REPLY REFER TO:
1800B3-GDG

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Southwestern Broadcasting Corporation
P.O. Box 2401
Lubbock, Texas 79408

In re: KLCU (FM) Brownfield, Texas
Operational Status Inquiry

Dear Licensee:

Our records indicate that KLCU (formerly KCTC) ceased broadcast operations on October 30, 1988. Special temporary authority (copy enclosed) was granted by the Commission on January 4, 1989, permitting the prior licensee to maintain the station's silence through January 15, 1989. Our records do not reveal that the station has resumed broadcast operations since that date.

We note that the assignment (BALH-900223HF, granted May 4, 1990) of the station's license from Brownfield Broadcasting Corp. to Southwestern Broadcasting Corporation was consummated July 1, 1990, and that Brownfield Broadcasting's application (BPH-891026IC) to implement the approved (MM Docket 87-603) upgrade from Channel 280A to Channel 282C2 was dismissed on March 17, 1992 (copy enclosed).

Accordingly, you are requested to clarify the station's operational status and take the actions appropriate to your circumstances. These actions include:

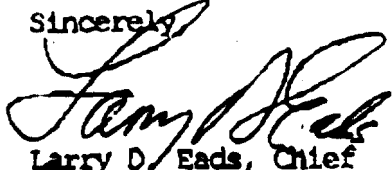
- (1) Notification to this office that KLCU (FM) resumed broadcast operations as a Class A facility prior to the date of this letter;
- (2) Notification to this office that KLCU will immediately resume Class A broadcast operations;
- (3) Request special temporary authority, pursuant to Section 73.1635 of the Commission's Rules, to remain silent.¹ Such request should include a justification for the continued silence of the station and a description of the steps you are taking to return it to the air.

You are required, therefore, to notify this office in writing of your course of action within twenty days of the date of this letter. In the event no response is received within this period, further action will be taken that may lead to

¹We note that any request for special temporary authority must be accompanied by the licensee's certification (suggested format enclosed) that neither it nor any party thereto is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

the eventual revocation of KUCU's license and permit and cancellation of its call letters. If you have any questions regarding the content of this letter, please contact Glenn Greisman, Industry Analyst, at (202) 632-3954.

Sincerely,



Larry D. Eads, Chief
Audio Services Division
Mass Media Bureau

Enclosures

cc: Thomas Joseph Crane, Chartered

EXHIBIT J

J

SEG

SOUTHWESTERN ENTERTAINMENT GROUP

P.O. Box 2401
Lubbock, Texas 79408
(800) 272-4273

January 6, 1993

Mr. Larry D. Eads, Chief
Audio Services Division
Mass Media Bureau
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

RE: KLCU (FM), Brownfield, Tx., Operational Status Report
Ref: 1800 B3-GDG

Dear Mr. Eads:

Pursuant to your request for an Operational Status Report dated December 2, 1992, please accept this letter, which is faxed, with originals to follow via next day air, as Southwestern Broadcasting Corporation's formal response. Please forgive the delay of this response, however, I did not receive your letter until December 15, 1992, and with the holidays I am only now able to respond. Moreover, this situation is laced with complications beyond the scope of your letter and in order to fully address these complicated issues a little more time was required. The need to address the entirety of the problem and yet be timely in response was discussed with Mr. Greisman prior to the stated deadline, and your patience with the delay of this response is appreciated.

Beyond the current request for an Operational Status Report, it is necessary to address the interrelated problems of:

1) The Short Spacing of Allocated 282C2, due to the Special Temporary Authority granted West Texas Broadcasting Co. to operate on 284C1, wherein their licensed frequency 262C1 is operated via a second Special Temporary Authority by KIOL.

2) The Commission decision to return the Atkins application for a new FM in Brownfield, Tx. as inadvertently accepted for tender, and the statements asserted in that decision.

Mr. Larry D Eads
January 6, 1992
Page Two

3) Consideration of the 103.9 license to Plainview, Tx which is cleared to increase power upon the issuance of the Construction Permit of 282C2.

4) Examination and proffer of West Texas Broadcasting Co.'s offer as outlined by Lawrence Bernard's letter of June 17, 1992.

As the best description of the history of these issues, enclosed please find my letter dated January 10, 1991 to Mr. Dennis Williams; as well as my referenced letter to Mr. Galen Gilbert dated October 12, 1990. As these letters indicate we have been working to resolve these issues for some time, and have attempted to work with all parties, pursuant to the direction suggested by the Commission.

In response to my letter, Mr. Williams wrote back on January 30, 1991, see enclosed copy, and in essence suggested that we go forward with a joint private resolution and make this proposal through rulemaking. During the months which followed I continued to work with Mr. Bernard and Mr. Riley in the hope of filing a joint proposal to rulemaking, however, we have been unable, to date, to get Mr. Riley's client to agree to any proposal; though Mr. Bernard's client and I have agreed to two proposals, the most recent being Mr. Bernard's letter of June 17, 1992; see enclosed. It is my position that Mr. Bernard's proposal offers the quickest and fairest resolution of this matter and the Commission should encourage its adoption; additionally Mr. Bernard informs me that Mr. Riley's client appears close to accepting Mr. Bernard's proposal, which resolves all issues.

Pursuant to Mr. Williams' follow up letter of March 17, 1992, which returned my June 8, 1990, amendment to my original application of BPH-891026IC, and dismissed as unacceptable for filing that original application; the imperfections making this application unacceptable for filing are correctable, and it is my request that I file a new 301 which will solve these shortfalls in conjunction with a joint proposal to resolve the overall issues.

Mr. Larry D. Eads
January 6, 1992
Page Three

Based upon an understanding and appreciation of the totality of these issues the following points are outlined:

1) The main issue before us is the failure to construct 282C2, Brownfield, Texas. The major obstacle to granting the Construction Permit for 282C2 Brownfield is that the frequency is shortspaced; due to the Special Temporary Authorities granted in conflict with the 282C2 allocation.

2) With respect to the status of the KLCU (FM) allocation to Brownfield, Tx. in Mr. Williams' letter dated April 15, 1992 to Mr. Atkins, see enclosed, returning Mr. Atkins application as inadvertently accepted for tender; Mr. Williams states, "Pursuant to an rulemaking action in MM Docket No. 87-603, Channel 280A was deleted from Brownfield and Channel 282C2 substituted, therefor, effective December 5, 1988. The Report and Order in that proceeding also modified the license of then Station KKTC(FM), Brownfield, to specify channel 282C2 in lieu of Channel 280A. The station has since filed an application (File No. BPH-891026IC) to implement the upgrade."

3) The proposal as outlined by Mr. Bernard offers the most equitable and quickest resolution of the issues and should be required as settlement by the parties, in conjunction with our filing of a new 301 for 282C2 to rectify the shortcomings as outlined in Mr. Williams' March 17, 1992 letter.

Specific to your letter of December 2, 1992, I select option 3, and hereby make formal request for Special Temporary Authority, pursuant to Section 73.1635, to remain silent for 6 months or until such time as a construction permit for 282C2 is issued with 90 days to construct. As part of this request enclosed please find my licensee's certification. Please accept the points outlined in this letter as justification for our continued silence, and the suggestions outlined in Mr. Bernard's letter as a description of the steps we are taking to return to the air.

Mr. Larry D. Eads
January 6, 1992
Page Four

As stated in my original letters, the delays and complications to this dilemma do not originate with me, though I am the party most injured by them. I have tried to resolve this between the parties and have failed. Now it is time for the Commission to help force the settlement as outlined in Mr. Bernard's letter.

Please note, the best address to reach me is as follows:

Thomas Crane
Southwestern Broadcasting Corp.
P.O. Box 486
Muleshoe, Texas 79347
806- 272-4273

Thank you for your time and consideration, and I look forward to the resolution of these issues.

Sincerely,

Thomas Joseph Crane

TJC/sm

cc: Lawrence Bernard, Esq.
Jim Riley, Esq.

EXHIBIT K

κ

AGREEMENT

This Agreement is made this 31st day of December, 1993 by and between West Texas Broadcasting Co., Inc. ("West Texas"), 100.3 Radio Inc. ("100.3 Radio") and Southwestern Broadcasting Corporation ("Southwestern").

RECITALS:

1. West Texas holds a license issued by the Federal Communications Commission ("FCC") authorizing the operation of FM Radio Station KMMX, Lamesa, Texas, on the frequency 104.7 Mhz, Channel 284C1. Pursuant to Special Temporary Authority issued by the FCC ("KMMX STA"), West Texas operates KMMX with facilities located at a site (the "KMMX Current Site"), different from that described in its outstanding FCC license.

2. 100.3 Radio holds a license issued by the FCC authorizing the operation of FM Radio Station KIOL-FM ("KIOL"), Lamesa, Texas, on the frequency 100.3 Mhz, Channel 262C1. Pursuant to Special Temporary Authority issued by the FCC (the "KIOL STA"), 100.3 Radio operates KIOL with facilities located at a site (the "KIOL Current Site"), different from that described in its outstanding FCC license.

3. Southwestern has been authorized by the FCC to change the operation of FM Radio Station KLCU, Brownfield, Texas, from 103.9 MHz, Channel 280A, to 104.3 MHz, Channel 282C2, but has been unable to obtain from the FCC an authorization to construct facilities on Channel 282C2 because operation of KLCU on that channel at Brownfield would cause electrical interference to the operation of

KMMX as authorized under the KMMX STA.

4. On December 14, 1987 West Texas and 100.3 Radio's predecessor filed applications for construction permits to obtain regular authority consistent with the KMMX STA and the KIOL STA. Those applications are the objects of an FCC letter (the "Letter Order") dated December 1, 1993, which has not become a final order. 100.3 Radio's operation of KIOL on Channel 262C1 at the KIOL Current Site, as specified in its December 14, 1987 application (BPH-871214ID), is consistent with all FCC rules concerning minimum separations (§73.207), principal community coverage (§73.315) and studio location (§73.1125), and there is no valid basis under FCC rules and policies for dismissal or denial of 100.3 Radio's construction permit application.

5. In order to permit Southwestern to construct new facilities for KLCU on Channel 282C2 and to enhance the coverage by KMMX of its market area, West Texas desires to: (a) change KMMX's community of license from Lamesa, Texas to Tahoka, Texas; (b) change KMMX's operating frequency from Channel 284C1 to Channel 262C1; and (c) construct new transmitting facilities for KMMX at geographic coordinates 33° 23' 00" NL and 101° 43' 00" WL. Such changes in KMMX's operations cannot be made unless 100.3 Radio changes the operating frequency of KIOL from Channel 262C1 to Channel 284C1, and, subject to the terms and conditions set forth herein, 100.3 Radio has agreed to this change in operating frequency.

6. The changes described in paragraph 5 of this section can

only be made pursuant to FCC approval.

PROVISIONS:

In consideration of the mutual promises hereinafter set forth and of other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, West Texas, 100.3 Radio and Southwestern hereby agree as follows:

1. Petition for Rulemaking, Application for Construction Permit.

(a) Within ten (10) days of the execution of this Agreement, but only if the escrow deposit required by paragraph 8.a. of this Section has been made, West Texas will file a petition for rulemaking (the "Petition") with the FCC requesting that the Table of FM Allotments set forth in Section 73.202(b) of the Rules and Regulations of the FCC, 47 C.F.R. §73.202(b), be amended by deleting Channel 262C1 from Lamesa, Texas and allotting that channel to Tahoka, Texas at geographic coordinates 33° 23' 00" NL and 101° 43' 00" WL (the "KMMX New Site"). Said Petition shall recite the contingent consent of 100.3 Radio to the proposed change in the allotment community of Channel 262C1 in the Table of FM allotments, which contingent consent is hereby granted by 100.3 Radio, and this Agreement will be attached to the Petition as an exhibit. 100.3 Radio's consent to the proposed change is contingent upon West Texas's performance of its obligations under this Agreement, and upon the FCC granting the assignment to 100.3 Radio of West Texas's license for operation on Channel 284C1 at

Lamesa, assignment of the call sign K10L for use on Channel 284C1 at Lamesa, 100.3 Radio's receiving a license authorization from the FCC covering operation on 284C1 at the K10L Current Site, and these FCC grants becoming final.

(b) Within ten (10) days of the release of an order by the FCC allotting Channel 262C1 to Tahoka, Texas, West Texas shall prepare an application on FCC Form 301 requesting a construction permit to change the facilities of K10L by moving its transmitter to the New KMMX Site near Tahoka, Texas, and said application shall be promptly executed and filed with the FCC by 100.3 Radio, which shall, however, continue to reserve its rights pursuant to paragraph 10 hereof.

2. Application for Assignment of License. Within ten (10) days of the execution of this Agreement, but only if the escrow deposit required by par. 8. a. of this section has been made, West Texas and 100.3 Radio will file two applications with the FCC on FCC Form 314 requesting consent to assign (1) the KMMX license for Channel 284C1 to 100.3 Radio, and (2) the K10L license for Channel 262C1 to West Texas (the "Applications"). The licenses being assigned shall specify the sites for which Channels 262C1 and 284C1 were licensed on March 18, 1988 and February 16, 1984, respectively. West Texas and 100.3 Radio shall request the FCC to withhold action on said applications until favorable action has been taken on the Petition.

3. Requests for Changes in Call Signs. Within ten (10) days following the grant of the Applications, West Texas shall prepare

and file a request with the FCC to change the call sign KMMX to KIOL. 100.3 Radio shall prepare and concurrently file an application with the FCC to change the call KIOL to KMMX, said call sign changes to be effective upon grant of the Applications.

4. Construction of Channel 262C1 Facilities at Tahoka. Within ten (10) days after grant by the FCC of the application for construction permit described in paragraph 1 of this Section, West Texas will begin construction of the facilities described in such application and will complete construction within sixty (60) days.

5. Assignment of Licenses; Installation of Channel 284 Equipment at KIOL. Upon completion of the construction of the Channel 262C1 facilities at Tahoka and grant by the FCC of the Applications, West Texas will provide 100.3 Radio with written notice of the date on which the KMMX license for Channel 284C1 will be assigned to 100.3 Radio and the KIOL license and construction permit for Channel 262C1 will be assigned to West Texas (the "Notice"). On the date specified in the notice, which shall be at least twenty-eight (28) days, but no more than thirty-five (35) days after the date of the Notice, West Texas shall: (a) transfer to 100.3 Radio the ten (10) bay Channel 284 Shively Model 68-10 FM antenna purchased new in or about 1988 and currently installed on KMMX's antenna tower; (b) cause said antenna to be installed on KIOL's antenna tower; (c) make such other modifications to KIOL's facilities as may be necessary to permit the commencement of operations on Channel 284C1 in accordance with West Texas' existing FCC license for KMMX; and (d) assign the KMMX Channel 284C1 license

to 100.3 Radio. All costs of installing the Channel 284C1 antenna at KIOI's site, retuning the transmitter to 104.7 MHz, optimization of the antenna and testing of the modified facility for reliability following the completion of all work shall be borne by West Texas. The antenna to be supplied is to become the property of KIOI without liens or encumbrances, and must be of equivalent brand of manufacture (i.e., either identical to or of the same quality according to general industry standards), and no older than the antenna now in use by KIOI. West Texas shall schedule the work and the work crews so that work commences at the KIOI site on a Saturday morning, and so that the equipment, including but not limited to the antenna, necessary for KIOI to broadcast on Channel 284C1 is present at the KIOI site on the Saturday morning of work commencement before the Channel 262 antenna is removed from the KIOI tower. Immediately upon the removal of the Channel 262 antenna from the KIOI tower the installation of the Channel 284 antenna and any other equipment necessary for the operation of KIOI on Channel 284C1 shall commence. It is the intention of the schedule specified in the preceding two sentences that the broadcast outage of KIOI for purposes of the channel switch is to be minimized; all steps related to scheduling of the work and the work crews which will lead to minimization of KIOI's broadcast outage time are to be taken even if not explicitly specified in this paragraph.

On the same date, 100.3 shall transfer ownership of the ten (10) bay Channel 262 Shively Model 68-10 FM antenna currently installed on KIOI's antenna tower to West Texas and assign the KIOI Channel 262C1 license to West Texas. All costs associated with both transfers, including but not limited to all the costs mentioned above, charges for transportation, rigging, and any and all other costs associated with the switching of frequencies and antennas shall be borne by West Texas.

6. Preparation of Documents. Payment of Costs. West Texas shall be solely responsible for the preparation, filing and prosecution of the Petition, the application for construction permit on FCC Form 301, the Applications and the call sign change requests and shall pay all the costs associated therewith, including fees payable to the FCC and legal and engineering counsel to be selected by West Texas, but excluding any fees charged by legal or engineering counsel retained by 100.3 Radio. West Texas shall also pay all costs of installing and adjusting the Channel 284 antenna on the KIOI antenna tower as described in paragraph 5 of this section in a manner that will provide optimum coverage, making such changes in the KIOI transmitter as may be necessary to begin operation on Channel 284 and testing the installation for reliability following completion of all work, including payment for all labor, material and transportation which may be required.

7. Advertising of KIOI's Frequency Change. 100.3 Radio desires to advertise the change of KIOI's frequency in newspapers, on billboards and on television stations and wishes to acquire such